

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VINCENT BERRY,

Plaintiff,

v

**CENTRAL MICHIGAN UNIVERSITY,
CENTRAL MICHIGAN UNIVERSITY
MEDICAL SCHOOL, MARK DESANTIS,
MARIE C. MATTE, BRIAN SLENSKI,
TINA THOMPSON, LINDA PERKOWSKI,
DANIEL GRIFFIN, MARC SPENCER, JAMIE
ALAN, ROBERT PETERSON, JULLIEN
ROSSIGNOL, SANDRA HOWELL, and
GEORGE KIKANO,**

Defendants.

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STIPULATION REGARDING RULE 16 SCHEDULING CONFERENCE

Pursuant to Fed. R. Civ. P. 16(B)(1), the District Judge must issue a scheduling order: (A) after receiving the parties Joint Status Report under Rule 26(f); or (B) after consulting with the parties' attorneys at a scheduling conference. The District Judge must issue the scheduling order as soon as practicable, but unless the

judge finds good cause for delay, the Judge must issue it within the earlier of 90 days after any defendant has been served with the compliant or 60 days after any defendant has appeared. Fed. R. Civ. P. 16(B)(2).

In addition, Fed. R. Civ. P. 26(f)(1) provides that the parties must confer as soon as practicable, and in any event at least 21 days, before a scheduling conference is to be held or a scheduling order is due. *Id.* In conferring, the parties must, among other things, arrange for initial disclosures under Rule 26(a)(1), develop a proposed discovery plan, and prepare a Joint Status Report.

In this case, on May 16, 2019, the various Defendants in this matter filed five Motions to Dismiss (Doc Nos. 3, 4, 5, 6, and 7), a Motion for More Definite Statement (Doc No. 8) and a Motion to Reassign Case to the Northern Division. (Doc. No. 9). The parties acknowledge that the Court's resolution of those motions may impact this case, as well as their conference required by Rule 26(f). However, the parties also recognize that the Court is required under Rule 16(B) to timely issue a scheduling order and/or to set the date for a Rule 16 Scheduling Conference.

Consequently, the parties agree that good cause exists to delay the Rule 16 Scheduling Conference and the issuance of the scheduling order, until after the Court has resolved the Defendants' various motions. The parties further agree that they should confer as required by Rule 26(f), and submit their Joint Status Report, after the Court has resolved the pending motions.

/s/ Lamont D. Satchel

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Dated: May 31, 2019

/s/ Michael E. Cavanaugh

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Dated: May 31, 2019